

## **REMARKS**

### **1. Allowed Claims**

Applicant acknowledges with thanks the Examiner's indication of allowed claims 9-20. These claims have not been amended.

### **2. The Amendment and Support Therefor**

Claim 1 has been amended to more precisely distinguish the invention from the prior art. The amendments find support in the original disclosure and the drawings. Specifically, support for the amendments to claim 1 is found in page 1, lines 16-90, and page 8, lines 5-7 ("multi-purpose hiking and"). Support for section 1.a.(1)(a) is found in page 2, lines 10-11, page 7, lines 20-24, and Figures 1 and 2 at reference numeral 60.

### **3. Section 2 of the Office Action: Rejection of Claims 1 and 6-8 Under 35 USC 103(a) as Being Unpatentable Over *Foster***

Because of the amendment to claim 1, *Foster* no longer renders claim 1 obvious under 35 USC 103(a). Claim 1 now recites a multi-purpose hiking and fishing tool in which the shaft includes at least one hook integrally attached to the shaft. As described and supported by the specification, the hook (or hooks) is arranged along the sides of the shaft (page 2, lines 10-11). The integral attachment of the hook to the shaft provides a fastening device (page 4, lines 15-16) for attaching equipment during a hike to a fishing site or during fishing. For example, the hook can be used to attach fish stringers and fish left in the water (page 7, lines 20-24). In addition, the hooks on the side of the shaft allow sportsmen to hang buckets, ice spoons, and other gear to the shaft (page 8, lines 10-11). *Foster*, on the other hand, is directed to a game fish landing tool which only discloses a magnet on the shaft to receive fish hooks 32. The hooks 32 described by the Examiner, which are mounted on a magnet 70, are very different from the recited hook in newly amended claim 1 of the present patent application. Quite simply, the recited hook in claim 1 of the present patent application is not a fishing hook. Further, *Foster* neither discloses nor suggests the recited hook in claim 1 of the present application. For this reason, applicant submits that claim 1, as amended, is not anticipated or rendered obvious in view of *Foster*.

Claims 6-8 are directly dependent from claim 1. In view of the amendments to claim 1,

it is now submitted that claims 6-8 are now patentable over *Foster*.

**4. Section 3 Rejection of Claims 2-5 Under 35 USC 103(a) Over *Foster* in View of *Wesson***

Claims 2-5 are directly dependent from claim 1. In view of the amendments to claim 1, it is now submitted that this rejection has been overcome.

**5. Section 4 Allowable Subject Matter**

Applicant acknowledges the allowance of claims 9-20.


**6. Section 5 Conclusion**

Applicant acknowledges the prior art made of record and not relied upon. Applicant agrees that the references are insufficient to reject the claims of the present application.

**7. In Closing**

If any questions regarding the application arise, please contact the undersigned attorney. Telephone calls related to this application are welcomed and encouraged. The Commissioner is authorized to charge any fees or credit any overpayments relating to this application to deposit account number 18-2055.

For the Applicant,

  
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Date of Deposit: June 8, 2004

Signature: Marilyn L. Hanson

ATTACHMENT:  
Amendment Sheet ("Marked-Up" Copy)  
Showing Changes to Application



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Serial No.: 10/622,724  
Filing Date: July 18, 2003  
Applicant(s): Needham, Michael A.

Group Art Unit: 3643  
Examiner: Rowan, Kurt C.  
Atty. Docket: 40746.001

**AMENDMENT SHEET ("MARKED-UP" COPY)  
SHOWING CHANGES TO APPLICATION**

**(37 CFR §§1.121(b)(1)(iii); (c)(i)(ii))**

**(To Accompany Response to January 14, 2004 Office Action)**

In accordance with 37 CFR §§1.121(b)(iii) and (c)(ii), following are the amendments made to the specification and/or claims of the above-noted application.

- All deletions are indicated by brackets [like so] and all additions are indicated by underlining like so.
- The additions and deletions are made with respect to the application as it is understood to exist prior to entry of this amendment (i.e., any amendments are made with respect to the previous version).
- While 37 CFR §§1.121(b)(1)(iii) and (c)(1)(ii) does not require that new and canceled paragraphs and claims be supplied on this "marked-up" copy, such new additions and cancellations are nevertheless provided below to aid the reviewer's understanding.

**IN THE CLAIMS:**

Claim 1 is amended as follows:

1. **[AMENDED]** A multi-purpose hiking and fishing tool comprising:
  - a. a shaft extending between a handle end and an opposing tip end, wherein:
    - (1) the handle end has a grip defined thereon;
    - (2) the shaft includes:
      - (a) [several hooks provided thereon] at least one hook integrally attached to the shaft;
      - (b) several base arms provided thereon, each base arm being spaced from a corresponding strap cleat on the shaft, whereby a container having a base supported on the base arm may be secured to the shaft by a strap extending through the strap cleat; and
  - b. a plurality of different tips, each tip being interchangeably attachable to the tip end.